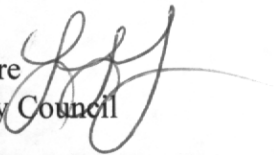


September 23, 1999

MEMORANDUM FOR: DIANE MILLER
Docket Officer

FROM: Larry Liberatore
National Safety Council



SUBJECT: Review of Draft Document - *Building Safer Highway Work
Zones: Measures To Prevent Worker Injuries from Vehicles and
Equipment*

I want to take this opportunity to comment on the draft study.

Attached are my comments.

RECEIVED
BY *DM* | DATE *9/27*

COMMENTS - LARRY LIBERATORE

Page iv, 4th paragraph:

Don't understand the comment that Subpart O "is not exhaustive in its coverage of machinery types or safety equipment, nor does it address work practices and the work environment." This seems to imply that we need more regulations to prevent work zone fatalities.

Should point out the confusion that OSHA is still referencing a 1971 edition of the MUTCD Codes while Federal DOT requires all State DOTs to follow the current (more protective) 1996 edition.

Page 1, 3rd paragraph:

Confused...

If 328 of 600 were equipment or vehicle-related, where did the remaining 272 occur ?

How many were caused by the motorist (111?) ?

If not equipment/vehicle-related, then what ?

How many motorists/pedestrians killed ?

Page 3:

Suggested addition to "Policy makers (Federal, State, Local) can" -

In large/complex work zones, require a State trooper /flashing lights at peak traffic times.

Page 5:

Emphasize/specifically note "night operations" at end of 3rd bullet re Flaggers.

Somehow highlight/emphasize last bullet under "Motoring public/ Employers can" re taking down signs. We hear this complaint more than any other regarding work zone markings.

Page 7, under Developing a Plan, Employers can:

In first bullet, add "work flow" right before "work space." Limited space can be a problem, but so can congestion in the work area caused by poor planning (not inadequate space).

Page 13, under High-Visibility Apparel, Policy makers can:

Also need to address the amount (square inches) of reflective apparel. If not, someone will say that a retro-reflective dot on a hard hat will suffice. This is actual testimony at an OSHA hearing (Longshoring standard). Only available standard that accomplished this was a British standard.

Page 22, Work Zone definition:

We have an opportunity to clearly state what is OSHA vs State DOT jurisdiction (e.g., Is the flagger in the work zone ?).

Overall Comment:

Excellent report. Most of comments are minor. It would help to simplify the "statistics" discussion in the Intro. Any questions, do not hesitate to call: 202-293-2270 x462